

## TWENTY-SEVENTH DAY.

(Wednesday, March 11, 1931.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Harrison
Adams of Harris.	of El Paso.
Adams of Jasper.	Harrison
Adamson.	of Waller.
Adkins.	Hatchitt.
Akin.	Hefley.
Albritton.	Herzik.
Alsup.	Hill.
Anderson.	Hines.
Baker.	Holder.
Barron.	Holland.
Beck.	Holloway.
Bedford.	Hoskins.
Bond.	Howsley.
Bounds.	Hubbard.
Bradley.	Hughes.
Brice.	Jackson.
Bryant.	Johnson
Burns of Walker.	of Dallam.
Burns	Johnson
of McCulloch.	of Dimmit.
Carpenter.	Johnson of Morris.
Caven.	Jones of Shelby.
Claunch.	Justiss.
Coltrin.	Kayton.
Coombes.	Keller.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Laird.
Cunningham.	Lasseter.
Dale.	Lee.
Daniel.	Lemens.
Davis.	Leonard.
DeWolfe.	Lockhart.
Dodd.	Long.
Donnell.	McCombs.
Dowell.	McDou ald.
Dunlap.	McGill.
Duvall.	Magee.
Dwyer.	Martin.
Elliott.	Mathis.
Farmer.	Mehl.
Farrar.	Metc lfe.
Ferguson.	Moffett.
Finn.	Moore.
Fisher.	Munson.
Forbes.	Murphy.
Ford.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Pope.
Greathouse.	Ramsey.
Grogan.	Ratliff.
Hanson.	Ray.
Hardy.	Richardson.
Harman.	Rogers.

Rountree.	Terrell
Sanders.	of Cherokee.
Satterwhite.	Terrell
Savage.	of Val Verde.
Scott.	Towery.
Shelton.	Turner.
Sherrill.	Van Zandt.
Smith of Bastrop.	Vaughan.
Smith of Wood.	Veatch.
Sparkman.	Wagstaff.
Stephens.	Walker.
Stevenson.	Warwick.
Steward.	Weinert.
Strong.	West of Coryell.
Sullivant.	West of Cameron.
Tarwater.	Westbrook.
	Young.

Absent.

McGregor.

Absent—Excused.

Boyd.	Morse.
Brooks.	Reader.
Engelhard.	Wiggs.
Jones of Atascosa.	Wyatt.

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Engelhard for today, on motion of Mr. Moffett.

Mr. Jones of Atascosa for today, on motion of Mr. Cox of Limestone.

Mr. Wiggs was granted leave of absence for today and the balance of the week on account of a death in his family, on motion of Mr. Cox of Lamar.

Mr. Brooks, who accompanied Mr. Wiggs to his home, was granted leave of absence for today and the balance of the week, on motion of Mr. Cox of Lamar.

The following member was granted leave of absence on account of illness:

Mr. Wyatt for today, on motion of Mr. Cox of Limestone.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Sullivant:

H. B. No. 862, A bill to be entitled "An Act amending Article 2270, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

(Relating to depositing money in court.)

Referred to Committee on Judiciary.

By Mr. Farmer:

H. B. No. 863, A bill to be entitled "An Act providing for the taxation of equities in units of properties and the method of collection; also providing the method of taxation of evidences of indebtedness on units of property where only an equity is held by the owner, and the method of collection; providing that the owner or holder of the indebtedness who fails to pay the taxes due on same shall not collect his debt, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Stevenson:

H. B. No. 864, A bill to be entitled "An Act providing for the jurisdiction of the county court of Kimble county, conferring upon said court civil and criminal jurisdiction and increasing the civil and criminal jurisdiction of said court; conforming the jurisdiction of the district and justice courts of said county to such change; fixing the time of holding the terms of the county court; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Fisher:

H. B. No. 865, A bill to be entitled "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Shelton:

H. B. No. 866, A bill to be entitled "An Act making it unlawful for any person to take or catch any kind of fish in any of the waters in Hays county during the months of Feb-

ruary, March and April of each year, fixing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Mathis:

H. B. No. 867, A bill to be entitled "An Act to amend Article 775 of Chapter 3, Title 9, of the Code of Criminal Procedure of Texas of 1925, prescribing when the sentence shall be an indeterminate sentence, and fixing the time a penitentiary sentence shall begin to run, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. West of Cameron:

H. B. No. 868, A bill to be entitled "An Act to abolish the criminal district court for the counties of Nueces, Kleberg, Kenedy, Willacy and Cameron as created and established by Chapter 79, Acts of the Thirty-ninth Legislature of Texas, and vesting all jurisdiction heretofore exercised by said criminal district court in the One Hundred and Eighteenth and One Hundred and Nineteenth Judicial District Courts; creating the One Hundred and Eighteenth Judicial District of Texas and designating the counties constituting said district, and fixing the time for holding court therein; creating the One Hundred and Nineteenth Judicial District of Texas, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Gilbert:

H. B. No. 869, A bill to be entitled "An Act to amend Chapter 41, House bill No. 116, Fifth Called Session of the Forty-first Legislature, providing for the taxation of all privately owned cars used in this State should be liable for taxation in the county where such cars are maintained or assembled for storing or shipping, or where the owner or lessee of such cars maintains an office or loading racks, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith of Wood:

H. B. No. 870, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing

the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary, office and traveling expenses of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McCombs:

H. B. No. 871, A bill to be entitled "An Act to amend Article 1302, Title 32, Revised Civil Statutes of the State of Texas, 1925, providing additional purposes for which corporations may be formed under the laws of Texas."

Referred to Committee on Municipal Corporations.

By Mr. Elliott:

H. B. No. 872, A bill to be entitled "An Act to levy and collect annually a three dollar and fifty cent road tax against all able-bodied male citizens of Burleson county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Van Zandt, Mr. Sullivan and Mr. Ferguson:

H. B. No. 873, A bill to be entitled "An Act validating service of citations, and notices whether published or posted, in all proceedings where guardians have been appointed, written wills probated or executors or administrators appointed, whether such citations or notices were issued and returnable to a regular term of court or otherwise, as provided in Chapter 48, Acts of Forty-first Legislature, First Called Session, and validating all proceedings, either in term time or otherwise, had under such citations and notices in so far as service or citation or notice is concerned, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Johnson of Dallam:

H. B. No. 874, A bill to be entitled "An Act to authorize the selection of school depositories for independent

districts in certain counties regardless of the population of said districts, and declaring an emergency."

Referred to Committee on Education.

By Mr. Leonard:

H. B. No. 875, A bill to be entitled "An Act to amend Article 2757 of the Revised Civil Statutes of the State of Texas of 1925, relating to the formation of the independent school districts, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. McCombs:

H. B. No. 876, A bill to be entitled "An Act validating all assessments of independent school districts, fresh water districts and levee districts in this State for ad valorem taxes which are void or unenforceable because made by a person who after his selection and qualification as tax assessor for such district and before said assessments were made, vacated said office by accepting and qualifying for an office under a city, town or other political subdivision of this State; providing that said assessments are validated whether suit is pending on the taxes so assessed or not; repealing all laws or parts of laws in conflict herewith; providing that any unconstitutional or invalid portion of this act shall not affect the remainder, declaring an emergency and providing that said act shall become effective from and after its passage, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Daniel:

H. B. No. 877, A bill to be entitled "An Act providing that in all cases when weekly compensation due an employe or beneficiary coming within the terms and provisions of the Workmen's Compensation Act are paid before becoming due, whether such payment be authorized by the Industrial Accident Board or a court of competent jurisdiction, discount shall be allowed for present payment at 6 per cent compounded annually, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Metcalfe:

H. B. No. 878, A bill to be entitled "An Act authorizing the commission-

ers courts of counties having not less than 36,000 and not more than 36,050 inhabitants, according to the last available Federal census, to annually levy, assess and collect a tax not exceeding eight cents on each \$100 assessed valuation of property in said county, to be used for the support of paupers and idiots and lunatics as cannot be admitted to lunatic asylums, and for providing medical treatment and hospital services for poor, sick and indigent bona fide residents of the county, defining the term resident, providing that said tax shall be levied only after a vote of the county authorizing same, prescribing certain limitations, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Daniel:

H. B. No. 879, A bill to be entitled "An Act providing that any interested party not willing to abide by the final decision of the Industrial Accident Board shall, in the manner provided by law, bring suit in the county where the injury occurred, to set aside said final decision, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Sparkman:

H. B. No. 880, A bill to be entitled "An Act making it unlawful for any person or persons, firm or corporation doing business in this State to show, exhibit or display for the purpose of sale or lease any six-shooter, pistol, revolver, brass knucks, dirks or other unlawful weapons in public show or display windows within view of the public; assessing a penalty, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Moffett (by request):

H. B. No. 881, A bill to be entitled "An Act to amend Article 1149, Revised Civil Statutes, 1925, authorizing and empowering towns or villages in this State to condemn the right of way and roadbed of railway companies running through the corporate limits thereof provided there are less than six railway tracks, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Patterson, Mr. Hardy, Mr. McCombs and Mr. Greathouse:

H. B. No. 882, A bill to be entitled "An Act providing that certain cities having the population requirements set forth therein may acquire and own special assessment certificates issued in connection with street improvements, that such cities may pledge and impound said certificates as the basis for the issuance of special improvement bonds subject to the limitations and provisions of this act, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Smith of Wood:

H. B. No. 883, A bill to be entitled "An Act creating a State and local government economy commission to inquire into the causes of high taxes, the distribution of the tax burden, the costs of county, municipal, and school district government, to study the organization and methods of such governmental units, to recommend legislation and other measures designed to promote efficiency and economy in local government, and to provide an appropriation for said commission."

Referred to Committee on State Affairs.

By Mr. Nicholson, Mr. McDougald and Mr. O'Quinn:

H. B. No. 884, A bill to be entitled "An Act authorizing counties having a city or cities other than county seats within their boundaries, having a population of twenty thousand and over, to provide, maintain and repair sub-courthouses and/or jails in said cities, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Ramsey (by request):

H. B. No. 885, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 11,975, nor more than 12,075, according to the 1930 census, etc., and declaring an emergency."

Referred to Committee on Counties.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 11, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has passed the following:

S. B. No. 110, A bill to be entitled  
"An Act authorizing the acquisition  
by the Government of the United  
States of America of land, water, or  
land and water, within the State of  
Texas, for migratory bird reserva-  
tions authorized by Act of Congress  
of February 18, 1929; and declaring  
an emergency."

S. B. No. 255, A bill to be entitled  
"An Act amending Article 29 of the  
Code of Criminal Procedure, so as to  
provide for the trial of misdemeanors  
upon complaint, without an informa-  
tion, in counties having no county at-  
torney; declaring an emergency."

S. B. No. 516, A bill to be entitled  
"An Act to create Road District No.  
5, Kendall county, Texas, defining and  
specifically setting out its boundaries,  
including therein all the territory em-  
braced in commissioners precincts  
numbers 1 and 4, which precincts are  
known as Road Districts Nos. 1 and 3,  
respectively; authorizing the commis-  
sioners court to continue to levy an  
ad valorem tax for the payment of  
the principal and interest on all out-  
standing bonds of the former district  
embraced within Road District No. 5,  
herein created, authorizing the issu-  
ance of bonds by the newly created  
road district in the manner and at such  
times as provided by the general laws  
of Texas, for the issuance of bonds by  
road district, and in conformity with  
Article 3, Section 52 of the State Con-  
stitution, and declaring an emer-  
gency."

S. B. No. 524, A bill to be entitled  
"An Act appropriating the sum of  
two hundred thousand dollars (\$200,-  
000) or so much thereof as may be  
necessary, payable out of the general  
revenue and not otherwise appropri-  
ated to pay the per diem of members,  
and to pay the salaries and per diem  
of officers and employees of the For-  
ty-second Legislature of the State of  
Texas, and declaring an emergency."

S. B. No. 525, A bill to be entitled  
"An Act making an appropriation of  
the sum of fifty thousand dollars  
(\$50,000) or so much as may be neces-

sary, out of the general revenue of  
the State of Texas, to pay the con-  
tingent expenses of the Regular Ses-  
sion of the Forty-second Legislature  
of the State of Texas; providing how  
accounts may be approved, and de-  
claring an emergency."

Respectfully,

JNO. B. DUPRIEST,

Assistant Secretary of the Senate.

EXPRESSING APPRECIATION TO  
THE MEMBERS OF THE  
HOUSE.

The Speaker laid before the House,  
and had read the following communi-  
cations:

Mrs. J. H. McLean and family  
gratefully acknowledge the kind ex-  
pression of your sympathy in their  
deep sorrow.

(Relative to the death of Judge J.  
H. McLean of Llano, Texas.)

Houston, Texas, March 8, 1931.

Hon. Fred H. Minor, Speaker, and  
Members House of Representa-  
tives, Austin, Texas.

Dear Friends: I wish to thank you  
for the honor shown the memory of  
my father, the late James S. Sher-  
rill, as reflected in the resolution  
adopted by the House, copy of which  
you sent me.

Gratefully,

LEOLA SHERRILL.

Houston, Texas, March 8, 1931.

Hon. Fred H. Minor, Speaker, and  
Members of the House of Repre-  
sentatives, Austin, Texas.

Gentlemen: I wish to thank you  
for the eulogistic resolutions concern-  
ing my deceased husband, passed by  
your honorable body; and for the rec-  
ognition accorded him by declaring  
adjournment of the House on Febru-  
ary 24th to be in honor of his  
memory.

Gratefully yours,

MRS. J. S. SHERRILL.

RELATIVE TO VENTILATION OF  
THE HALL.

Mr. Farmer offered the following  
resolution:

Whereas, Many members of this  
House have suffered with very bad  
colds, and are now suffering with  
such malady; and

Whereas, It is believed by many members that this is due to the unscientific manner in which the Hall of the House is ventilated by the porters; and

Whereas, Such conditions are working great injury to our members and hindering them in their work, and putting them to great discomfort and expense; therefore, be it

Resolved, That the Speaker appoint a committee of three members from this House to confer with the sanitary engineer of the State Department of Health in order that a method may be provided whereby the Hall of this House may be properly ventilated in a scientific and simple way for the protection of the health of our members, officers, employes, and others who may be herein. And that said committee make speedy report to this House of the success of the mission on which they are sent.

The resolution was read second time.

Mr. Keller moved that the resolution be referred to the Committee on Public Health.

Mr. McCombs moved that the resolution be referred to the Committee on Public Lands and Buildings.

On motion of Mr. Coombes, the substitute motion by Mr. McCombs was tabled.

Question then recurring on the motion by Mr. Keller, it prevailed.

#### BILL ORDERED NOT PRINTED.

On motion of Mrs. Moore, Senate bill No. 70 was ordered not printed.

(Mr. Young in the chair.)

#### INVITING HARLEY SADLER TO GIVE BAND CONCERT.

Mr. Scott offered the following resolution:

Whereas, Harley Sadler, a native son of Texas, and a resident of West Texas, a gifted and accomplished actor, without a peer in his line and type, has opened his large tent theater at Sixteenth and Guadalupe Streets for a month's run; and

Whereas, Harley Sadler, both as a man and actor, enjoys the confidence, esteem and admiration of the people of the entire State; and

Whereas, The Harley Sadler Stock Company is noted as a talented group of actors presenting clean and whole-

some amusement and has brought to the city of Austin its talented band of musicians; and

Whereas, The House of Representatives is desirous of recognizing the talent and accomplishments of Texas' native son and his company; now, therefore, be it

Resolved, That Harley Sadler be extended an invitation to present his quartet and orchestra on the floor of the House at 11:45 o'clock a. m., Thursday, and give a short concert.

Signed—Scott, Howsley, DeWolfe, Cunningham.

The resolution was read second time.

Mr. McCombs raised a point of order on further consideration of the resolution, on the ground that it violates certain sections of the House rules.

The Speaker sustained the point of order.

Mr. Scott moved that the House Rule which relates to admissions to the floor of the House be suspended at this time.

The motion prevailed by the following vote:

Yeas—100.

Adams of Harris.	Forbes.
Adams of Jasper.	Gilbert.
Adamson.	Giles.
Albritton.	Goodman.
Alsop.	Graves.
Anderson.	Grogan.
Barron.	Hanson.
Bedford.	Hardy.
Bond.	Harman.
Bounds.	Harrison
Brice.	of El Paso.
Burns of Walker.	Hatchitt.
Carpenter.	Hefley.
Caven.	Herzik.
Claunch.	Holder.
Coombes.	Holloway.
Cox of Limestone.	Hoskins.
Cunningham.	Howsley.
Dale.	Hubbard.
Daniel.	Hughes.
Davis.	Jackson.
DeWolfe.	Johnson
Dodd.	of Dimmit.
Donnell.	Johnson of Morris.
Dowell.	Jones of Shelby.
Duvall.	Kayton.
Dwyer.	Keller.
Elliott.	Laird.
Faremr.	Lee.
Farrar.	Lemens.
Ferguson.	Leonard.
Finn.	Lilley.
Fisher.	Lockhart.

Long.	Smith of Bastrop.
McDougald.	Smith of Wood.
Martin.	Sparkman.
Mathis.	Stephens.
Mehl.	Stevenson.
Moore.	Strong.
Munson.	Tarwater.
Murphy.	Terrell
Olsen.	of Cherokee.
O'Quinn.	Terrell
Pope.	of Val Verde.
Ramsey.	Turner.
Ratliff.	Vaughan.
Ray.	Veatch.
Richardson.	Warwick.
Satterwhite.	Weinert.
Savage.	West of Coryell.
Scott.	West of Cameron.
Shelton.	Young.

## Nays—19.

Akin.	McCombs.
Baker.	Maggee.
Beck.	Moffett.
Bryant.	Patterson.
Coltrin.	Rogers.
Cox of Lamar.	Sullivant.
Fuchs.	Towery.
Greathouse.	Wagstaff.
Hill.	Walker.
Kennedy.	

## Absent.

Adkins.	Lasseter.
Bradley.	McGill.
Burns	McGregor.
of McCulloch.	Metcalfe.
Dunlap.	Nicholson.
Ford.	Petsch.
Harrison	Rountree.
of Waller.	Sanders.
Hines.	Sherrill.
Holland.	Steward.
Johnson	Van Zandt.
of Dallam.	Westbrook.
Justiss.	

## Absent—Excused.

Boyd.	Morse.
Brooks.	Reader.
Engelhard.	Wiggs.
Jones of Atascosa.	Wyatt.

Mr. McCombs raised a point of order on further consideration of the resolution on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. DeWolfe moved that the House Rule which relates to the time for the consideration of resolutions be suspended until 10:15 o'clock a. m. today.

The motion prevailed by the following vote:

Yeas—92.

Adams of Harris.	Hoskins.
Adams of Jasper.	Howsley.
Adamson.	Jackson.
Akin.	Johnson
Albritton.	of Dimmit.
Alsup.	Johnson of Morris.
Anderson.	Jones of Shelby.
Bedford.	Keller.
Bounds.	Laird.
Bradley.	Lee.
Bryant.	Lemens.
Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Caven.	McDougald.
Claunch.	Martin.
Coombes.	Mathis.
Cox of Limestone.	Mehl.
Cunningham.	Munson.
Dale.	Murphy.
Daniel.	Olsen.
Davis.	O'Quinn.
DeWolfe.	Pope.
Dodd.	Ramsey.
Donnell.	Ratliff.
Dowell.	Ray.
Duvall.	Richardson.
Dwyer.	Rountree.
Elliott.	Savage.
Farmer.	Scott.
Farrar.	Shelton.
Ferguson.	Sherrill.
Finn.	Smith of Bastrop.
Fisher.	Smith of Wood.
Forbes.	Sparkman.
Fuchs.	Stephens.
Giles.	Stevenson.
Goodman.	Sullivant.
Grogan.	Tarwater.
Hanson.	Terrell
Hardy.	of Cherokee.
Harman.	Terrell
Harrison	of Val Verde.
of El Paso.	Turner.
Harrison	Van Zandt.
of Waller.	Vaughan.
Hatchitt.	Veatch.
Holder.	Weinert.
Holloway.	West of Coryell.

Nays—20.

Baker.	Hughes.
Beck.	Kennedy.
Bond.	McCombs.
Brice.	Moore.
Coltrin.	Patterson.
Cox of Lamar.	Rogers.
Greathouse.	Satterwhite.
Hefley.	Towery.
Herzik.	Wagstaff.
Hill.	Walker.

## Present—Not Voting.

Burns of Walker. Magee.

## Absent.

Adkins.	Long.
Barron.	McGill.
Dunlap.	McGregor.
Ford.	Metcalf.
Gilbert.	Moffett.
Graves.	Nicholson.
Hines.	Petsch.
Holland.	San ers.
Hubbard.	Steward.
Johnson	Strong.
of Dallam.	Warwick.
Justiss.	West of Cameron.
Kayton.	Westbrook.
Lasseter.	Young.

## Absent—Excused.

Boyd.	Morse.
Brooks.	Reader.
Engelhard.	Wiggs.
Jones of Atascosa.	Wyatt.

Mr. Anderson raised a point of order on further consideration of the resolution, on the ground that the time for the consideration of the resolution has again expired.

The Speaker sustained the point of order.

Mr. DeWolfe moved that the House Rule which relates to the time for the consideration of resolutions be suspended pending consideration of the resolution offered by Mr. Scott.

The motion prevailed by the following vote:

## Yeas—94.

Adams of Harris.	Donnell.
Adams of Jasper.	Dowell.
Adamson.	Duvall.
Albritton.	Dwyer.
Alsup.	Elliott.
Anderson.	Farmer.
Barron.	Ferguson.
Bedford.	Finn.
Bradley.	Fisher.
Brice.	Forbes.
Bryant.	Giles.
Burns	Goodman.
of McCulloch.	Grogan.
Carpenter.	Hanson.
Caven.	Harman.
Claunch.	Harrison
Coombes.	of El Paso.
Cunningham.	Harrison
Dale.	of Waller.
Daniel.	Hatchitt.
Davis.	Hefley.
DeWolfe.	Holder.
Dodd.	Holloway.

Hoskins.	Satterwhite.
Howsley.	Savage.
Hughes.	Scott.
Johnson	Smith of Bastrop.
of Dimmit.	Smith of Wood.
Johnson of Morris.	Sparkman.
Jones of Shelby.	Stephens.
Keller.	Stevenson.
Laird.	Strong.
Lee.	Sullivant.
Lemens.	Tarwater.
Leonard.	Terrell
Lilley.	of Cherokee.
Lockhart.	Terrell
Long.	of Val Verde.
McDougald.	Towery.
Martin.	Van Zandt.
Mathis.	Vaughan.
Munson.	Veatch.
Murphy.	Wagstaff.
Olsen.	Warwick.
O'Quinn.	Weinert.
Ramsey.	West of Coryell.
Ratliff.	West of Cameron.
Ray.	Westbrook.
Richardson.	

## Nays—17.

Akin.	Johnson
Baker.	of Dallam.
Beck.	Kennedy.
Coltrin.	McCombs.
Cox of Lamar.	Magee.
Fuchs.	Patterson.
Greathouse.	Rogers.
Herzik.	Steward.
Hill.	Walker.

## Present—Not Voting.

Moffett.

## Absent.

Adkins.	Kayton.
Bond.	Lasseter.
Bounds.	McGill.
Burns of Walker.	McGregor.
Cox of Limestone.	Mehl.
Dunlap.	Metcalf.
Farrar.	Moore.
Ford.	Nicholson.
Gilbert.	Petsch.
Graves.	Pope.
Hardy.	Rountree.
Hines.	Sanders.
Holland.	Shelton.
Hubbard.	Sherrill.
Jackson.	Turner.
Justiss.	Young.

## Absent—Excused.

Boyd.	Morse.
Brooks.	Reader.
Engelhard.	Wiggs.
Jones of Atascosa.	Wyatt.



Mr. Howsley moved the previous question on the resolution, and the main question was ordered.

Mr. McCombs moved to reconsider the vote by which the previous question was ordered and the motion to reconsider was lost.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

## Yeas—93.

Adams of Harris.	Hubbard.
Adamson.	Hughes.
Adkins.	Johnson
Alsup.	of Dimmit.
Anderson.	Johnson of Morris.
Barron.	Jones of Shelby.
Bedford.	Kayton.
Bounds.	Keller.
Brice.	Laird.
Burns of Walker.	Lee.
Burns	Leonard.
of McCulloch.	Lilley.
Carpenter.	Lockhart.
Claunch.	Martin.
Coombes.	Mathis.
Cox of Lamar.	Mehl.
Cox of Limestone.	Munson.
Cunningham.	Olsen.
Dale.	O'Quinn.
Daniel.	Ramsey.
Davis.	Ratliff.
DeWolfe.	Ray.
Donnell.	Richardson.
Dowell.	Rountree.
Duvall.	Savage.
Dwyer.	Scott.
Elliott.	Shelton.
Farmer.	Sherrill.
Ferguson.	Smith of Bastrop.
Finn.	Smith of Wood.
Fisher.	Sparkman.
Forbes.	Stephens.
Giles.	Stevenson.
Goodman.	Strong.
Grogan.	Sullivant.
Hanson.	Tarwater.
Harman.	Terrell
Harrison	of Cherokee.
of El Paso.	Terrell
Harrison	of Val Verde.
of Waller.	Towery.
Hatchitt.	Turner.
Hefley.	Van Zandt.
Herzik.	Vaughan.
Holder.	Veatch.
Holland.	Weinert.
Holloway.	West of Coryell.
Hoskins.	West of Cameron.
Howsley.	Westbrook.

## Nays—18.

Akin.	Baker.
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Beck.	McCombs.
Bryant.	Magee.
Coltrin.	Patterson.
Greathouse.	Rogers.
Hill.	Satterwhite.
Johnson	Steward.
of Dallam.	Wagstaff.
Kennedy.	Walker.
Long.	

## Present—Not Voting.

Albritton.

## Absent.

Adams of Jasper.	Lasseter.
Bond.	Lemens.
Bradley.	McDougald.
Caven.	McGill.
Dodd.	McGregor.
Dunlap.	Metcalfe.
Farrar.	Moffett.
Ford.	Moore.
Fuchs.	Murphy.
Gilbert.	Nicholson.
Graves.	Petsch.
Hardy.	Pope.
Hines.	Sanders.
Jackson.	Warwick.
Justiss.	Young.

## Absent—Excused.

Boyd.	Morse.
Brooks.	Reader.
Engelhard.	Wiggs.
Jones of Atascosa.	Wyatt.

(Speaker in the chair.)

## SENATE BILL NO. 310 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to third reading,

S. B. No. 310, A bill to be entitled "An Act validating and making certain Sections 1 and 2 of Chapter 81, General Laws of the Second Called Session of the Thirty-sixth Legislature, being Articles 5367 and 5368 of Chapter 4, Title 86, Revised Civil Statutes of Texas, of 1925, relating to public school and asylum lands; providing that the original sales affecting lands with mineral reservation may be enlarged to include 15/16 of the minerals in the owners of the soil, reserving to the State 1/16 interest in said minerals as royalty; authorizing such owners to enlarge their original purchase of school and asylum lands to include 15/16 of oil and gas, or other minerals; authorizing the owner to develop and produce minerals, or lease,

sell or contract said lands for the development and production of minerals; validating and confirming oil and gas leases heretofore made and sales or reservations of royalty and mineral interest; providing for the forfeiture of such leases under certain conditions, and providing that such forfeiture shall be in lieu of any claim for consideration or rental; providing that if any part of this act shall be held unconstitutional, it shall not affect the remaining provisions; providing that Articles 5369, 5370, 5371, 5372, 5373, 5374, 5375, 5376, 5377, 5378 and 5379 shall not apply where the owner of the soil has acquired the legal title to 15/16 of the minerals, and declaring an emergency."

The bill was read second time.

Mr. Wagstaff offered the following amendment to the bill:

Amend Senate bill No. 310 by inserting in line 12, page 2, of the printed bill, after the word "Legislature," and before the word "is," the following: "As amended by Section 1, Chapter 38, General Laws of the First Called Session of the Thirty-seventh Legislature."

The amendment was adopted.

(Mr. Satterwhite in the chair.)

Mr. Graves offered the following amendment to the bill:

Amend Senate bill No. 310 by striking out all below the enacting clause and insert the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 5367, 5368, 5370, 5371, 5375, 5376, 5377, 5378 and 5380 of Chapter 4, Title 86, of the Revised Civil Statutes of 1925, as described in the caption of this act shall be so amended as to hereafter read as follows:

Article 5367. The State hereby constitutes the owner of the soil its agent for the purposes herein named, and in consideration therefor relinquishes and vests in the owner of the soil an undivided one-half interest in and to the proceeds from all leases, bonuses and royalties, and of the proceeds that may otherwise accrue from, upon and within the surveyed and unsurveyed public free school and asylum lands that may have been sold or may hereafter be sold under the provisions of this law

with a mineral classification or a mineral reservation, subject to the terms of this law; provided, that no lease shall be made by the owner of the soil as agent of the State with a royalty reservation of less than one-eighth of the value of the oil and gas in said lands. The remaining undivided one-half interest in and to the proceeds from all leases, bonuses and royalties, and of the proceeds that may otherwise accrue therefrom is hereby reserved for the use and benefit of the public free school fund and the several asylum funds.

Article 5368. The owner of said land is hereby authorized to sell or lease to any person, firm or corporation the oil and gas that may be thereon or therein upon such terms and conditions as such owner may deem best, subject only to the provisions of this law, and he may retain a second lien thereon to secure the payment of any sum due him. All leases so made shall be assignable. All leases, subleases and assignments, or certified copies thereof, on said lands shall be filed in the General Land Office within sixty days from the date such instrument or instruments are executed. If such instrument or instruments are not so filed within the time required, it or they shall, ipso facto, become null and void and of no effect. Each original lease made by the owner of the soil, as agent of the State, shall specify the correct consideration therefor, and when said lease or certified copy thereof is forwarded to the Commissioner of the General Land Office for filing it shall be accompanied with a remittance in a sum equal to one-half of said consideration, except where the consideration is paid in installments, then a remittance of one-half of each installment shall be, forthwith, transmitted by the lessee to the Commissioner of the General Land Office. Any false or evasive showing of the correct consideration in a lease shall subject said lease to cancellation by the Commissioner of the General Land Office when such fact or false or evasive showing is discovered by him and sustained by adequate investigation by him or his duly authorized agent and the said Commissioner of the General Land Office shall endorse on it "lease canceled," and shall, forthwith, notify all parties concerned that the lease has been canceled and the reasons therefor. The Commissioner of the General Land Office shall cause to be kept in

his office a well-bound book in which a record of all leases, subleases and assignments shall be kept, said book to show: lessor, lessee, assignor, assignee, dates of instruments, date instruments are received in the General Land Office, bonus due and paid, the annual rental per acre consideration, royalty reserved and such other information as will constitute a complete record of each and every lease transaction, until production is secured, the instruments themselves to be filed in a safe and convenient place. When production is reported on any lease, sublease or assignment, a mineral file shall be prepared thereon and all documents pertaining thereto shall be filed in said mineral file. No oil or gas rights shall be sold or leased hereunder for less than ten cents per acre per year, plus royalty, and the lessee or purchaser shall in every case pay to the State not less than ten cents per acre per year of sales and rentals, but the owner of the soil, as agent for the State, is hereby required to secure the highest price possible and in case of production the lessee shall in addition to rentals, pay the State one-half the value of the oil and gas reserved as royalty, and a like amount to the owner of the soil.

Article 5370. If such persons fail or refuse to begin drilling such offset wells within the time required, or to drill such offset well or wells diligently and in good faith, or to drill such wells to the depth necessary for the purpose intended, or to use the means necessary to the development of any well or wells thereon within the time required, or to drill such well drilled therein, thereupon the relinquishment herein granted shall ipso facto terminate and the rights acquired thereunder shall likewise terminate, and the oil and gas relinquished herein shall revert to and become the property of the fund or funds to which the land originally belonged. When the Commissioner is sufficiently informed of the facts which so terminate such rights, he shall, on the wrapper containing the papers relating to the sale of the land, write and sign officially, words indicating such termination.

Article 5371. When the relinquishment granted herein and the rights acquired thereunder have been so terminated, the Commissioner shall take possession of the land and advertise the oil and gas therein for sale. All

such sales shall be made at such time as the Commissioner may determine and in the manner provided for the sale of public free school land. The sale shall be made to the person, firm or corporation that will pay the highest price therefor in addition to one-eighth of the oil and gas produced or the value of the same, which shall be reserved to the fund or funds to which the land originally belonged. The sum received in addition to the reserved one-eighth shall be divided equally between the fund or funds to which the land originally belonged and the owner of the soil, after deducting the expenses incident to the advertisement and sale. Purchasers at such sales shall begin the drilling of the necessary offset wells within sixty days after the acceptance of their offer, and the failure to do so and the failure to comply with the provisions of this law relating to the drilling of offset wells shall likewise operate as a termination of the rights acquired thereunder and the substances therein shall again be subject to sale.

Article 5375. The owner of a permit shall have five years from the date thereof in which to complete the development for oil and gas therein and if oil or gas should not be found in paying quantities on a lease applied for within said time, all rights in said permit shall terminate and the oil and gas in said land covered by said permit shall become subject to this law relative to the relinquishment of the oil and gas to the owner of the soil.

Article 5376. If oil or gas should be produced in paying quantities upon any land included in this law, the owner of the permit shall report the development to the Commissioner within thirty days thereafter and apply for a lease upon such whole surveys or tracts in each permit as the owner may desire to be leased, and accompany the application with a log of the wells, and the correctness of the log shall be sworn to by the owner, manager or driller, and thereupon a lease shall be issued without the payment of any additional sum of money and for a period not to exceed ten years, subject to renewal or renewals.

Article 5377. The owner of a permit who desires to avail himself of the terms of this law, shall pay the State ten cents per acre, annually in

advance, for the second and third years, and shall likewise pay the owner of the soil ten cents per acre for the first year of such permit, before availing himself of the privileges hereof, and a like sum thereafter annually in advance. A failure to make either of said payments shall subject the permit or permits to forfeiture by the Commissioner, and when sufficiently informed of the facts which subject the permits to forfeiture, said Commissioner shall forfeit the same by an indorsement of forfeiture upon the wrapper containing the papers relating to the permits and sign it officially. The payment of ten cents per acre to the owner of the soil may be to him or to the county clerk of the county in which the land is situated, and said clerk shall deposit such payment as he receives, in some bank at the county seat to the credit of the record owner of such land. If the owner of the soil refuses to accept such payment, said clerk shall withdraw such deposit and return it to the owner of the permit. The payment, or the tender of payment, shall be evidenced by the receipt of the owner or part owner or county clerk filed among the papers in the Land Office relating to such permits.

Article 5378. The owner of a permit may relinquish to the State a permit or any whole survey or whole tract included in a permit at any time before obtaining a lease therefor by having such relinquishment recorded in the counties in which the land or part thereof is situated, and by filing it in the Land Office within sixty days after its execution, with one dollar as a filing fee.

Article 5380. All royalties shall be paid to the State through the Commissioner of the General Land Office on or before the twentieth day of each month for the preceding month during the life of the lease, accompanied by the affidavit of the owner, manager or other authorized agent, showing the gross amount of oil and gas produced since the last report and the market value of the oil and gas at time of production, including casinghead gas, whether utilized or not, together with a copy of all daily gauges of tanks, gas meter readings, pipe line receipts, gas line receipts and other checks or memoranda of amount produced and put into pipe lines, tanks or pools and gas lines or gas storage. And adequate accounting division shall be maintained in the

General Land Office, which accounting division shall install and keep a complete detail system of accounts that will accurately reflect all monies due the State for the benefit of the funds herein named and all other funds derived from the mineral reservations of the State, from whatever source, the monies actually received and the disposition of same. The books and accounts, receipts and discharges of all lines, tanks, pools and meters and all contracts and other records pertaining to the production, transportation, sale and marketing of the oil and gas shall at any time be subject to inspection and examination by the Commissioner of the General Land Office, the Attorney General, the Governor, or the representative of either.

Sec. 2. That Article 5374 be and the same is hereby repealed.

Sec. 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 4. The fact that the statutes relating to the relinquishment of fifteen-sixteenths of the oil and gas rights in sold public free school and asylum lands to the owner of the soil are vague and confusing and subject to conflicting interpretations, and further, that the permit combination law has outlived its original purpose and has tied up in more or less permanent leases many thousands of acres of State lands on which there is no production, and the fact that there is now no adequate accounting system authorized by law for the handling of the large sums paid to the State each year in oil and gas royalties, bonuses and rentals on mineral lands, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days in each house be suspended and that this act shall take effect and be in force from and after its passage and said rule is hereby suspended and it is so enacted.

Mr. Petsch offered the following amendment to the bill:

Amend Senate bill No. 310 as follows: Add an additional paragraph between the first and second paragraphs of Section 1, between lines 21 and 22 on page 2 of the bill, reading as follows:

"Provided, however, that nothing in any portion of this act shall be

construed as returning to the land owner or transferring from the State any bonus paid to the State since the 25th day of June, 1928, and/or which may have accrued to the State and which remains unpaid, but each and every such bonus due under any prior relinquishment act of the Texas Legislature are hereby re-declared to be property of the State regardless of any other provisions of this act; and provided further, that one-half of any and all bonuses which are hereafter received upon any mineral leases shall remain the property of the State."

PETSCH,  
LONG.

Mr. Harman raised a point of order on further consideration of the amendment by Mr. Graves on the ground that the amendment is not germane to the original bill.

The Speaker overruled the point of order.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 525, to the Committee on Appropriations.

Senate bill No. 524 to the Committee on Appropriations.

Senate bill No. 516, to the Committee on Highways.

Senate bill No. 255, to the Committee on Criminal Jurisprudence.

Senate bill No. 110, to the Committee on State Affairs.

#### BILL RE-REFERRED.

On motion of Mr. Smith of Wood, House bill No. 841 was withdrawn from the Committee on State Affairs and referred to the Committee on Counties.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 615, A bill to be entitled "An Act to empower cities having a population of not less than 27,000 nor more than 28,000 inhabitants, as

shown by the last Federal census, and operating under a special charter originally granted by the Legislature of the State of Texas, and which shall own and operate their light systems or water systems or sewer systems or gas systems, or either one or more of said systems, to encumber any one or more of said systems, the incomes thereof and everything pertaining thereto, or any part thereof, and by the terms of such encumbrances to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency."

Respectfully,  
JNO. B. DuPRIEST,  
Assistant Secretary of the Senate.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolutions:

H. C. R. No. 27, Relative to General Pershing National Park Association.

H. C. R. No. 37, Relative to ceremonies for Captain Benjamin Franklin Bryant and wife.

H. B. No. 181, "An Act to amend Article 6234 under subdivision 2 of Title 109 of the Revised Civil Statutes of the State of Texas (1925), relating to eligibility to participate in city pension fund; extending the time of making application for membership and participation therein, and declaring an emergency."

#### RECESS.

On motion of Mr. Graves, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Sanders (by unanimous consent), Senate bills Nos. 524 and 525 were ordered not printed.

On motion of Mr. Duvall (by unanimous consent), House bill No. 882 was ordered not printed.

## SENATE BILL NO. 524 ON SECOND READING.

Mr. Sanders (by unanimous consent), moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 524 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.	Hughes.
Adamson.	Johnson
Albritton.	of Dallam.
Alsup.	Johnson
Barron.	of Dimmit.
Beck.	Johnson of Morris.
Bedford.	Justiss.
Bounds.	Kayton.
Brice.	Kennedy.
Bryant.	Laird.
Burns of Walker.	Lasseter.
Burns	Lemens.
of McCulloch.	Leonard.
Caven.	Lilley.
Claunch.	Lockhart.
Coltrin.	McDougald.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Daniel.	Martin.
Davis.	Metcalfe.
DeWolfe.	Moffett.
Dodd.	Moore.
Donnell.	Munson.
Dowell.	Murphy.
Dunlap.	Nicholson.
Dwyer.	O'Quinn.
Elliott.	Pope.
Farmer.	Ramsey.
Fisher.	Ratliff.
Forbes.	Richardson.
Ford.	Rogers.
Fuchs.	Rountree.
Gilbert.	Sanders.
Goodman.	Satterwhite.
Graves.	Savage.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Sparkman.
Harman.	Stephens.
Harrison	Stevenson.
of Waller.	Steward.
Hatchitt.	Strong.
Herzik.	Terrell
Hill.	of Cherokee.
Hines.	Towery.
Holder.	Turner.
Holland.	Van Zandt.
Holloway.	Vaughan.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.

Warwick.  
Weinert.  
West of Coryell.

Westbrook.  
Wyatt.

Absent.

Adams of Harris.	Jones of Shelby.
Adams of Jasper.	Keller.
Adkins.	Lee.
Akin.	Long.
Anderson.	McCombs.
Baker.	Mathis.
Bond.	Mehl.
Bradley.	Olsen.
Carpenter.	Patterson.
Cunningham.	Petsch.
Dale.	Ray.
Duvall.	Reader.
Farrar.	Scott.
Ferguson.	Shelton.
Finn.	Smith of Wood.
Giles.	Sullivant.
Hardy.	Tarwater.
Harrison	Terrell
of El Paso.	of Val Verde.
Hefley.	West of Cameron.
Jackson.	Young.

Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 524, A bill to be entitled "An Act appropriating the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, payable out of the general revenue and not otherwise appropriated, to pay the per diem of members, and to pay the salaries and per diem of officers and employes of the Forty-second Legislature, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 524 ON THIRD READING.

The Speaker then laid Senate bill No. 524 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Beck.
Adams of Jasper.	Bounds.
Adamson.	Brice.
Albritton.	Bryant.
Alsup.	Burns
Barron.	of McCulloch.

Burns of Walker.	Lee.
Caven.	Leonard.
Claunch.	Lilley.
Coltrin.	Lockhart.
Coombes.	McDougald.
Cox of Lamar.	McGregor.
Cox of Limestone.	Magee.
Cunningham.	Martin.
Daniel.	Metcalf.
Davis.	Moore.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Nicholson.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Dwyer.	Petsch.
Elliott.	Pope.
Farmer.	Ramsey.
Fisher.	Ratliff.
Forbes.	Richardson.
Ford.	Rogers.
Fuchs.	Rountree.
Giles.	Sanders.
Goodman.	Satterwhite.
Graves.	Savage.
Greathouse.	Scott.
Grogan.	Sherrill.
Hanson.	Smith of Bastrop.
Harman.	Sparkman.
Harrison	Stephens.
of Waller.	Stevenson.
Herzik.	Steward.
Hill.	Strong.
Hines.	Tarwater.
Holder.	Terrell
Holland.	of Cherokee.
Holloway.	Towery.
Hoskins.	Turner.
Howsley.	Van Zandt.
Hubbard.	Vaughan.
Hughes.	Veatch.
Johnson	Walker.
of Dimmit.	Warwick.
Johnson of Morris.	Weinert.
Justiss.	West of Coryell.
Kayton.	Westbrook.
Kennedy.	Wyatt.
Laird.	

## Absent.

Adams of Harris.	Harrison ✓
Adkins.	of El Paso.
Akin.	Hatchitt.
Anderson.	Hefley.
Baker.	Jackson.
Bedford.	Johnson
Bond.	of Dallam.
Bradley.	Jones of Shelby.
Carpenter.	Keller.
Dale.	Lasseter.
Duvall.	Lemens.
Farrar.	Long.
Ferguson.	McCombs.
Finn.	McGill.
Gilbert.	Mathis.
Hardy.	Mehl.

Moffett.	Sullivant.
Patterson.	Terrell
Ray.	of Val Verde.
Reader.	Wagstaff.
Shelton.	West of Cameron.
Smith of Wood.	Young.

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

## SENATE BILL NO. 525 ON SECOND READING.

Mr. Sanders (by unanimous consent), moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 525 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Jasper.	Grogan.
Adamson.	Hanson.
Adkins.	Harrison
Akin.	of Waller.
Albritton.	Hatchitt.
Baker.	Herzik.
Barron.	Hines.
Beck.	Holder.
Bond.	Holland.
Bounds.	Holloway.
Brice.	Hoskins.
Bryant.	Howsley.
Burns of Walker.	Hubbard.
Burns	Hughes.
of McCulloch.	Johnson
Caven.	of Dallam.
Claunch.	Johnson
Coltrin.	of Dimmit.
Coombes.	Johnson of Morris.
Cox of Limestone.	Justiss.
Cunningham.	Kennedy.
Daniel.	Laird.
Davis.	Lemens.
DeWolfe.	Leonard.
Dodd.	Lilley.
Donnell.	Lockhart.
Duvall.	McCombs.
Dwyer.	McDougald.
Elliott.	Magee.
Farmer.	Mathis.
Farrar.	Metcalf.
Fisher.	Moffett.
Forbes.	Moore.
Ford.	Munson.
Fuchs.	Murphy.
Giles.	Nicholson.
Goodman.	Olsen.
Graves.	O'Quinn.
Greathouse.	Patterson.

Petsch.	Steward.
Pope.	Strong.
Ramsey.	Sullivant.
Ratliff.	Tarwater.
Richardson.	Terrell
Rogers.	of Cherokee.
Rountree.	Towery.
Sanders.	Vaughan.
Satterwhite.	Veatch.
Savage.	Walker.
Scott.	Warwick.
Sherrill.	Weinert.
Smith of Bastrop.	West of Coryell.
Sparkman.	Westbrook.
Stephens.	Wyatt.
Stevenson.	

## Absent.

Adams of Harris.	Kayton.
Alsup.	Keller.
Anderson.	Lasseter.
Bedford.	Lee.
Bradley.	Long.
Carpenter.	McGill.
Cox of Lamar.	McGregor.
Dale.	Martin.
Dowell.	Mehl.
Dunlap.	Ray.
Ferguson.	Reader.
Finn.	Shelton.
Gilbert.	Smith of Wood.
Hardy.	Terrell
Harman.	of Val Verde.
Harrison	Turner.
of El Paso.	Van Zandt.
Hefley.	Wagstaff.
Hill.	West of Cameron.
Jackson.	Young.
Jones of Shelby.	

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 525, A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-second Legislature of the State of Texas; providing how accounts may be approved, and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 525 ON THIRD READING.

The Speaker then laid Senate bill No. 525 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114.

Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Adkins.	Johnson of Morris.
Akin.	Justiss.
Albritton.	Kennedy.
Alsup.	Laird.
Barron.	Lee.
Beck.	Lemens.
Bedford.	Leonard.
Bond.	Lilley.
Bounds.	Lockhart.
Brice.	McCombs.
Bryant.	McDougald.
Burns of Walker.	McGill.
Burns	McGregor.
of McCulloch.	Magee.
Carpenter.	Mathis.
Caven.	Metcalf.
Claunch.	Moffett.
Coltrin.	Moore.
Coombes.	Morse.
Cox of Lamar.	Munson.
Cox of Limestone.	Murphy.
Cunningham.	Nicholson.
Dale.	Olsen.
Daniel.	O'Quinn.
Davis.	Patterson.
DeWolfe.	Pope.
Dodd.	Ramsey.
Donnell.	Ratliff.
Dowell.	Richardson.
Dunlap.	Rogers.
Duvall.	Sanders.
Dwyer.	Satterwhite.
Elliott.	Savage.
Farmer.	Sherrill.
Farrar.	Smith of Bastrop.
Fisher.	Sparkman.
Forbes.	Stephens.
Ford.	Stevenson.
Fuchs.	Steward.
Gilbert.	Strong.
Giles.	Sullivant.
Goodman.	Tarwater.
Greathouse.	Terrell
Grogan.	of Cherokee.
Hanson.	Towery.
Harman.	Van Zandt.
Harrison	Vaughan.
of Waller.	Veatch.
Hatchitt.	Wagstaff.
Herzik.	Walker.
Hill.	Warwick.
Holland.	Weinert.
Holloway.	West of Coryell.
Hoskins.	Westbrook.
Howsley.	Wyatt.
Hughes.	Young.

## Absent.

Adams of Harris.	Baker.
Anderson.	Bradley.



Ferguson.	Keller.
Finn.	Lasseter.
Graves.	Long.
Hardy.	Martin.
Harrison	Mehl.
of El Paso.	Petsch.
Hefley.	Ray.
Hines.	Reader.
Holder.	Rountree.
Hubbard.	Shelton.
Jackson.	Smith of Wood.
Johnson	Terrell
of Dallam.	of Val Verde.
Jones of Shelby.	Turner.
Kayton.	West of Cameron.

Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Scott.
Engelhard.	Wiggs.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 9, "An Act validating all proceedings heretofore had and taken to organize, create or establish any and all such drainage districts within this State under the provisions of Title 128, Chapters 7 and 8, of the Revised Civil Statutes, 1925, to-wit, Articles 8097 to 8197, both inclusive, of such Revised Civil Statutes, 1925, and validating and approving all orders heretofore made and proceedings had by or before the commissioners courts of this State to so organize, create or establish any and all such drainage districts aforesaid, and validating all such drainage districts heretofore created under the above statutes, and validating all proceedings had and taken or orders made by or before any such commissioners courts to authorize or authorizing the issuance of any and all bonds of such drainage districts, and validating all such bonds heretofore issued, voted or authorized to be issued by all such districts, and declaring an emergency."

H. B. No. 615, "An Act to empower cities having a population of not less than 27,000 nor more than 28,000 inhabitants, as shown by the last Federal census, and operating under a special charter originally granted by the Legislature of the State of Texas and which shall own and operate their light systems or water systems, or

sewer systems or gas systems, or either one or more of said systems, to encumber any one or more of said systems, the incomes thereof and everything pertaining thereto, or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase, etc., and declaring an emergency."

#### SENATE BILL NO. 310 ON PAS- SAGE TO THIRD READING.

The House resumed consideration of pending business, same being Senate bill No. 310, relative to validating certain land titles.

The bill having heretofore been read second time, with amendments by Mr. Graves and Mr. Petsch pending.

Mr. Satterwhite moved the previous question on the pending amendments and the bill, and the main question was ordered.

(Pending consideration of the bill, Mr. Satterwhite occupied the chair, temporarily.)

(Speaker in the chair.)

Question first recurring on the amendment by Mr. Graves, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—24.

Akin.	Hughes.
Alsup.	Kennedy.
Bounds.	Lockhart.
Carpenter.	Mathis.
Cox of Lamar.	Rogers.
Cox of Limestone.	Stephens.
Dodd.	Terrell
Farmer.	of Cherokee.
Farrar.	Vaughan.
Graves.	Veatch.
Hanson.	West of Cameron.
Holder.	West of Coryell.
Hoskins.	

Nays—105.

Mr. Speaker.	Barron.
Adams of Harris.	Bedford.
Adams of Jasper.	Bryant.
Adamson.	Burns
Adkins.	of McCulloch.
Albritton.	Burns of Walker.
Anderson.	Caven.
Baker.	Claunch.

Coltrin.	Long.
Coombes.	McCombs.
Cunningham.	McGill.
Daniel.	McGregor.
Davis.	Magee.
DeWolfe.	Martin.
Donnell.	Mehl.
Dowell.	Metcalf.
Duvall.	Moffett.
Dwyer.	Moore.
Elliott.	Munson.
Finn.	Murphy.
Fisher.	Nicholson.
Forbes.	Olsen.
Ford.	O'Quinn.
Fuchs.	Patterson.
Gilbert.	Petsch.
Goodman.	Pope.
Greathouse.	Ratliff.
Grogan.	Ray.
Hardy.	Richardson.
Harman.	Rountree.
Harrison	Satterwhite.
of El Paso.	Savage.
Harrison	Scott.
of Waller.	Shelton.
Hatchitt.	Sherrill.
Hefley.	Smith of Bastrop.
Hill.	Smith of Wood.
Hines.	Sparkman.
Holland.	Stevenson.
Holloway.	Steward.
Howsley.	Strong.
Hubbard.	Sullivan.
Jackson.	Tarwater.
Johnson	Terrell
of Dimmit.	of Val Verde.
Johnson of Morris.	Towery.
Jones of Shelby.	Turner.
Justiss.	Van Zandt.
Kayton.	Wagstaff.
Keller.	Walker.
Laird.	Warwick.
Lasseter.	Weinert.
Lee.	Westbrook.
Lemens.	Wyatt.
Lilley.	Young.

## Absent.

Beck.	Herzik.
Bond.	Johnson
Bradley.	of Dallam.
Brice.	Leonard.
Dale.	McDougald.
Dunlap.	Ramsey.
Ferguson.	Reader.
Giles.	Sanders.

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

## Paired.

Mr. Brice (present), who would vote "yea," with Mr. Johnson of Dallam (absent), who would vote "nay."

Question then recurring on the amendment by Mr. Petsch, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—44.

Adams of Harris.	Johnson of Morris.
Adams of Jasper.	Jones of Shelby.
Akin.	Kennedy.
Alsup.	Lasseter.
Barron.	Lemens.
Bond.	Lockhart.
Bounds.	Long.
Carpenter.	McCombs.
Caven.	Magee.
Cox of Limestone.	O'Quinn.
Dodd.	Petsch.
Farmer.	Ray.
Farrar.	Rogers.
Ford.	Stephens.
Graves.	Steward.
Grogan.	Terrell
Harman.	of Cherokee.
Hatchitt.	Vaughan.
Hines.	Veatch.
Holder.	West of Cameron.
Hoskins.	West of Coryell.
Hughes.	Westbrook.
Johnson	
of Dimmit.	

## Nays—85.

Adamson.	Hardy.
Adkins.	Harrison
Albritton.	of El Paso.
Anderson.	Harrison
Baker.	of Waller.
Beck.	Hefley.
Bedford.	Hill.
Bryant.	Holland.
Burns.	Holloway.
of McCulloch.	Howsley.
Burns of Walker.	Hubbard.
Claunch.	Jackson.
Coltrin.	Justiss.
Coombes.	Kayton.
Cox of Lamar.	Keller.
Cunningham.	Lee.
Daniel.	Lilley.
Davis.	McGill.
DeWolfe.	McGregor.
Donnell.	Martin.
Dunlap.	Mathis.
Duvall.	Mehl.
Dwyer.	Metcalf.
Elliott.	Moffett.
Finn.	Moore.
Fisher.	Munson.
Forbes.	Murphy.
Fuchs.	Nicholson.
Gilbert.	Olsen.
Goodman.	Patterson.
Greathouse.	Pope.
Hanson.	Ratliff.

Richardson.	Tarwater.
Rountree.	Terrell
Satterwhite.	of Val Verde.
Savage.	Towery.
Scott.	Turner.
Shelton.	Van Zandt.
Sherrill.	Wagstaff.
Smith of Bastrop.	Walker.
Smith of Wood.	Warwick.
Sparkman.	Weinert.
Stevenson.	Wyatt.
Strong.	Young.
Sullivant.	

## Absent.

Bradley.	Johnson of Dallam.
Brice.	Laird.
Dale.	Leonard.
Dowell.	McDougald.
Ferguson.	Ramsey.
Giles.	Reader.
Herzik.	Sanders.

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

## Paired.

Mr. Brice (present), who would vote "yea," with Mr. Johnson of Dallam (absent), who would vote "nay."

Mr. Wagstaff (by unanimous consent) offered the following amendments to the bill:

## (1)

Amend Senate bill No. 310 by changing the caption to conform to the body of the bill.

## (2)

Amend Senate bill No. 310 by inserting at the end of line 23, page 4 of the printed bill, the words: "the validity of."

WAGSTAFF,  
STEVENSON.

The amendments were severally adopted.

Mr. Van Zandt (by unanimous consent) offered the following amendment to the bill:

Amend Senate bill No. 310, page 4, line 32 of the printed bill, by inserting after the word "shall" and before the word "not" the word "hereafter" and by striking out all of said section after the word "apply," in line 32.

VAN ZANDT,  
SULLIVANT.

The amendment was adopted:

Senate bill No. 310 was then passed to third reading.

## SENATE BILL NO. 310 ON THIRD READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 310 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116.

Adams of Harris.	Hines.
Adams of Jasper.	Holland.
Adamson.	Holloway.
Adkins.	Howsley.
Albritton.	Hubbard.
Alsup.	Jackson.
Anderson.	Johnson
Baker.	of Dimmit.
Barron.	Johnson of Morris.
Beck.	Jones of Shelby.
Bedford.	Justiss.
Bond.	Kayton.
Bounds.	Keller.
Bryant.	Kennedy.
Burns	Laird.
of McCulloch.	Lasseter.
Burns of Walker.	Lee.
Caven.	Lemens.
Claunch.	Long.
Coltrin.	McCombs.
Coombes.	McGill.
Cox of Lamar.	McGregor.
Cunningham.	Magee.
Daniel.	Martin.
Davis.	Mehl.
DeWolfe.	Metcalf.
Donnell.	Moffett.
Dowell.	Moore.
Dunlap.	Munson.
Duvall.	Murphy.
Dwyer.	Nicholson.
Elliott.	Olsen.
Farmer.	O'Quinn.
Farrar.	Patterson.
Finn.	Petsch.
Fisher.	Pope.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Richardson.
Gilbert.	Rogers.
Goodman.	Rountree.
Greathouse.	Satterwhite.
Grogan.	Savage.
Hanson.	Scott.
Hardy.	Shelton.
Harman.	Sherrill.
Harrison	Smith of Bastrop.
of Waller.	Smith of Wood.
Hatchitt.	Sparkman.
Hefley.	Stephens.
Hill.	Stevenson.

Steward.	Veatch.
Strong.	Wagstaff.
Sullivant.	Walker.
Tarwater.	Warwick.
Terrell	Weinert.
of Val Verde.	West of Cameron.
Towery.	Westbrook.
Turner.	Wyatt.
Van Zandt.	Young.

## Nays—8.

Akin.	Hughes.
Carpenter.	Lockhart.
Dodd.	Vaughan.
Graves.	West of Coryell.

## Present—Not Voting.

Cox of Limestone.	Terrell
Holder.	of Cherokee.
Hoskins.	

## Absent.

Bradley.	Johnson
Brice.	of Dallam.
Dale.	Leonard.
Ferguson.	Lilley.
Giles.	McDougald.
Harrison	Mathis.
of El Paso.	Ramsey.
Herzik.	Reader.
	Sanders.

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs. ✕

The Speaker then laid Senate bill No. 310 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—108.

Adams of Harris.	Davis.
Adams of Jasper.	DeWolfe.
Adamson.	Donnell.
Adkins.	Dowell.
Albritton.	Dunlap.
Anderson.	Duvall.
Baker.	Dwyer.
Barron.	Elliott.
Beck.	Finn.
Bedford.	Fisher.
Bounds.	Forbes.
Bryant.—	Ford.
Burns	Fuchs.
of McCulloch.	Gilbert.
Burns of Walker.	Goodman.
Caven.	Greathouse.
Claunch.	Grogan.
Coltrin.	Hanson.
Coombes.	Hardy.
Cunningham.	Harman.
Daniel.	

Harrison	Munson.
of El Paso.	Murphy.
Harrison	Nicholson.
of Waller.	Olsen.
Hatchitt.	O'Quinn.
Hefley.	Patterson.
Hill.	Pope.
Hines.	Ratliff.
Holland.	Ray.
Holloway.	Richardson.
Howsley.	Satterwhite.
Hubbard.	Savage.
Jackson.	Scott.
Johnson	Shelton.
of Dimmit.	Sherrill.
Johnson of Morris.	Smith of Bastrop.
Jones of Shelby.	Smith of Wood.
Justiss.	Sparkman.
Kayton.	Stevenson.
Keller.	Steward.
Kennedy.	Strong.
Laird.	Sullivant.
Lasseter.	Tarwater.
Lee.	Terrell
Lemens.	of Val Verde.
Lilley.	Towery.
McCombs.	Turner.
McGill.	Van Zandt.
McGregor.	Wagstaff.
Magee.	Walker.
Martin.	Warwick.
Mathis.	Weinert.
Mehl.	West of Cameron.
Metcalfe.	Westbrook.
Moffett.	Wyatt.
Moore.	Young.

## Nays—20.

Akin.	Lockhart.
Alsup.	Long.
Carpenter.	Rogers.
Cox of Limestone.	Rountree.
Dodd.	Stephens.
Farmer.	Terrell
Farrar.	of Cherokee.
Graves.	Vaughan.
Holder.	Veatch.
Hoskins.	West of Coryell.
Hughes.	

## Present—Not Voting.

Brice.	Cox of Lamar.
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## Absent.

Bond.	Leonard.
Bradley.	McDougald.
Dale.	Petsch.
Ferguson.	Ramsey.
Giles.	Reader.
Herzik.	Sanders.
Johnson of Dallam.	

## Absent—Excused.

Boyd.	Jones of Atascosa.
Brooks.	Morse.
Engelhard.	Wiggs.

## Paired.

Mr. Cox of Lamar (present), who would vote "nay," with Mr. McDougald (absent), who would vote "yea."

Mr. Brice (present), who would vote "nay," with Mr. Johnson of Dallam (absent), who would vote "yea."

Mr. Pope moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 530, A bill to be entitled "An Act to fix the maximum amount of bonds which may be issued by and to fix the maximum rate of tax to be levied for school purposes in all independent school districts having a population of more than 200,000 and less than 250,000, according to the Federal census of 1930 or any subsequent legally authorized census, where under general or special law; repealing all laws in conflict herewith, both general and special, and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act repealing Chapter 46 of the General Laws of the Second Called Session of the Forty-first Legislature, being Senate bill No. 31, relating to the appointment of a receiver for incorporated cities and towns which had defaulted in the payment of bonds or other obligations lawfully issued, and prescribing the duties and powers of such receiver."

H. B. No. 448, A bill to be entitled "An Act creating a special road law for Henderson county, Texas, requiring surety bonds of road overseers, containing provisions that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1929, setting forth the method of said operation, and declaring an emergency."

H. B. No. 647, A bill to be entitled "An Act ratifying and validating an election heretofore held in and throughout Road District No. 1 of Uvalde county, Texas, upon the question of authorizing the issuance of \$175,000 Uvalde County Road District No. 1 road bonds, series 2, and

levying a tax in payment thereof, etc., and declaring an emergency."

H. B. No. 94, A bill to be entitled "An Act to fix the salary of the county superintendent of public instruction and the county board of school trustees in each county in Texas having a population of not less than 18,425 nor not more than 18,435, according to the Federal census of 1930; providing for office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 242, A bill to be entitled "An Act providing for rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits of schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

H. B. No. 656, A bill to be entitled "An Act to repeal an Act of the Thirty-third Legislature, First Called Session, 1913, being Senate bill No. 22, creating a road system for Hall county," with amendment.

H. B. No. 657, A bill to be entitled "An Act to repeal Chapter 69, Acts Forty-first Legislature, First Called Session, page 182, relating to Hood county special road law, and declaring an emergency."

H. B. No. 712, A bill to be entitled "An Act to exempt male persons residing in Lavaca county, Texas, and not within the corporate limits of any incorporated city, town, or village, from road duty, and in lieu thereof requiring them to pay to the county tax collector of said county the sum of three dollars (\$3.00) annually, and declaring an emergency."

Respectfully,

JNO. B. DuPRIEST,

Assistant Secretary of the Senate.

## RECESS.

On motion of Mr. Anderson, the House, at 5:35 o'clock p. m., took recess to 9:30 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Judiciary: House bills Nos. 624, 631 and 661.

Public Lands and Buildings: House bills Nos. 521, 329, 847, 446, 444, 463 and 819; Senate bills Nos. 70 and 156.

State Affairs: House bills Nos. 431 and 801.

The Committee on Judiciary filed an adverse report on House bills Nos. 315, 814 and 719.

#### REPORT OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 10, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. B. No. 13, A bill to be entitled "An Act to encourage and aid in the conservation of soil fertility in the counties of Texas and to maintain the productiveness of agricultural lands for the production of essential foods and commercial crops upon which the public well-being depends, etc., and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 1, Proposing an amendment to the Constitution of the State of Texas by amending Section 33 and Section 40 of Article 16 of the Constitution of Texas, so as to permit officers of the National Guard, the National Guard Reserve, and the Officers' Reserve Corps of the United States, and enlisted men of the National Guard, the National Guard Reserve, and the Organized Reserves of the United States, and retired officers of the United States army, navy and marine corps, and retired enlisted men of the United States army, navy and marine corps, to hold public office in Texas,"

Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

Committee Room,  
Austin, Texas, March 10, 1931.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred H. J. R. No. 12, Proposing to amend the Constitution of the State of Texas so as to provide that the Legislature shall have no powers to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State or to any county or defined subdivision thereof, or other municipal corporation therein, except delinquent taxes which have been due for a period of at least four years, Have carefully compared same and find it correctly engrossed.

RICHARDSON, Vice-Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,  
Austin, Texas, March 11, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 27, Relating to General Pershing Park Association.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, March 10, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 37, Relating to removal of remains of Benjamin F. Bryant.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, March 11, 1931.  
Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 181, "An Act to amend Article 6234 under subdivision 2 of Title 109 of the Revised Civil Statutes of the State of Texas (1925), relating to eligibility to participate in

city pension fund; extending the time of making application for membership and participation therein, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,  
Austin, Texas, March 11, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 615, "An Act to empower cities having a population of not less than twenty-seven thousand (27,000) nor more than twenty-eight thousand (28,000) inhabitants, as shown by the 1930 Federal census and operating under a special charter originally granted by the Legislature of the State of Texas and which shall own and operate their light systems or water systems or sewer systems or gas systems or either one or more of said systems to encumber any one or more of said systems, the incomes thereof and everything pertaining thereto or any part thereof, and by the terms of such encumbrance to grant to the purchaser under any sale or foreclosure under such encumbrance a franchise to operate said encumbered system or systems for not over twenty years after such purchase; prescribing the purposes for which such powers may be exercised, limiting the manner and effect of the exercise, providing for the selection of a trustee and his successor to make sale on default in payment; limiting the method of foreclosure and providing for an option of repurchase; prohibiting the encumbrance of such systems for more than five thousand (\$5,000) dollars except for purchase money or to refund an existing indebtedness or to repair or reconstruct any one or more of said systems except when authorized by a majority vote of the qualified voters of such city, prohibiting the sale thereof except on said authority, providing for the management and control of said system or systems so encumbered, providing that any one or more of said systems may be so encumbered for the purposes named and for the benefit of said systems or any one of said systems, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

## TWENTY-SEVENTH DAY.

(Continued.)

(Thursday, March 12, 1931.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Minor.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Patterson, Mr. Duvall and Mr. Greathouse:

H. B. No. 886, A bill to be entitled "An Act amending Article 5142 as amended by Acts of the Regular Session of the Fortieth Legislature, Chapter 228, page 335, providing the powers and duties of the county juvenile boards, and providing for the qualifications, duties, appointment and removal of probation officers, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bond:

H. B. No. 887, A bill to be entitled "An Act amending Article 443 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the clerk of the district court upon each indictment for felony shall immediately issue a capias and deliver or mail the same to the sheriff of the county where the sheriff resides or is to be found, and providing that where the defendant is under bond no capias shall be issued until after forfeiture on such bond has been entered, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Sherrill and Mr. Daniel:

H. B. No. 888, A bill to be entitled "An Act relating to the mode and manner of rendering for taxes and taxing property which has had a value placed thereon for rate making purposes, providing exceptions to the act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Lemens (by request):

H. B. No. 889, A bill to be entitled "An Act to amend Article 1055 of Chapter 2 of Title 15 of the Code of Criminal Procedure, Revised Criminal Statutes of Texas, so as to pro-